

ABSTRACT

Title: Prerequisites for Acquisition of Inheritance

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The thesis addresses rudimentary prerequisites for acquisition of inheritance in the Czech Republic. These prerequisites include death of a person, that is necessary for application of inheritance rights, existence of inheritance, in particular ownership rights transferred to heir, legal grounds for inheritance (title of inheritance) and existence of eligible heir (natural or legal persons), that did not decline an inheritance. A chapter is dedicated to each of the prerequisites (chapters from II. to IV.) and is structured to articles closer examining the topic. All chapters also include comparison of current legislation as stipulated in the Civil Code no. 89/2012 Coll. as well as in the law on special judicial proceedings no. 292/2013 Coll. with former legislation effective in the country, i.e. the Common Civil Code from 1811, so called the Middle Civil Code from 1950 and the Civil Code effective since 1st April 1964. Some inheritance right institutions are also compared with an Italian legislation as stipulated in the Italian civil code Il Codice Civile (for example the will, legal heirs or ineligibility for inheritance).

The introductory chapter describes reasons why I chose prerequisites for acquisition of inheritance as the topic for my thesis. The final chapter offers brief summary of changes that took place regarding ownership rights during the course of historic development, and evaluation of new civil code based on my own experience.